

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

JAMES M. WYNN,
Plaintiff,

Civil Action No. 7:15-cv-00251

v.

GERALD A. MCPEAK, *et al*,
Defendant(s).

By: Hon. Robert S. Ballou
United States Magistrate Judge

By order dated June 4, 2015, the court severed claims brought by a jointly-filed civil action under 42 U.S.C. §1983 into separate civil actions. On June 5, 2015, the court conditionally filed this civil action giving plaintiff ten days to comply with the provisions of 28 U.S.C. § 1915(a) regarding his application to proceed before the court *in forma pauperis*. Additionally, the court directed the plaintiff to submit within ten days an affidavit stating his intent to proceed with the case and identifying “the specific dates of each alleged constitutional violation of the complaint and stating how each defendant was personally involved in violating his rights.” By order dated June 17, 2015, Plaintiff was given a ten day extension to comply with the provisions of the June 5, 2015 order. (Dkt. 13).

Plaintiff has submitted the requested financial information and consented to pay the required filing fee as required under 28 U.S.C. § 1915(a), but has failed to submit the affidavit detailing his intent to proceed with the case and setting forth the specific constitutional violations claimed against each defendant. Plaintiff shall be granted one final extension to submit the requested information within ten days of the date of this order. Failure to submit the required affidavit will result in the dismissal of this action without prejudice.

The Clerk is directed to send a copy of this Order to the parties.

Enter: July 1, 2015

/s/ Robert S. Ballou

Robert S. Ballou
United States Magistrate Judge